

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**MICHELLE LUNDY,**  
**Plaintiff,**

**v.**

**Case No. 16-CV-470**

**WESTWOOD HEIGHTS APARTMENTS,  
JACK SHEEHAN, and  
ST. CLARE MANAGEMENT,**  
**Defendants.**

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**ORDER**

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Michelle Lundy, representing herself, filed the present action on April 18, 2016. (ECF No. 1.) Lundy alleged that the defendants rented an apartment to her and discriminated against her by requiring her to follow HUD guidelines, refusing to replace the shower head in her residence, and not allowing her to hang pictures on the walls. (ECF No. 1 at 2-3.) She also alleges she was wrongfully evicted because she filed a complaint with HUD and FHEO. (ECF No. 1 at 3.) On April 21, 2017, defendants Jack Sheehan and Westwood Heights Apartments jointly filed a motion for summary judgment. (ECF No. 45.) St. Clare Management likewise moved for summary judgment. (ECF No. 40.)

Lundy had 30 days in which to respond to the summary judgment motions. Civ. L.R. 56(b)(2). She failed to do so. As required under Civil Local Rule 56(a), the defendants notified Lundy of this requirement and the consequences of failing to respond. (ECF Nos. 40 at 2-9; 49.) "Failure to file a memorandum in opposition to a motion is sufficient cause for the Court to grant the motion." Civ. L.R. 7(d).

On June 2, 2017, the court granted Westwood and Sheehan's motion for summary judgment as unopposed. (ECF No. 53.) However, the court found that it was unable to consider St. Clare Management's motion because it was unclear whether Lundy had been served with a copy of the motion. St. Clare Management has now filed a certificate of service showing that it mailed a copy of the motion and supporting documents to Lundy on April 21, 2017. (ECF No. 54.) Therefore, the time for Lundy to respond to St. Clare Management's motion for summary judgment has passed.

The court has reviewed the motion, brief in support, and the undisputed facts, *see* Fed. R. Civ. P. 56(e)(2), and concludes that St. Clare Management is entitled to summary judgment. Accordingly, its motion will be granted.

**IT IS THEREFORE ORDERED** that the motion for summary judgment filed by St. Clare Management is **granted**. The Clerk shall enter judgment accordingly.

Dated at Milwaukee, Wisconsin this 6th day of June, 2017.

  
WILLIAM E. DUFFIN  
U.S. Magistrate Judge